

PATENT
655.00809

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) LATENT HEAT STORAGE DEVICE
HENRY LUKAS et al.)
Serial No.: 09/678,990) Group Art Unit: 3743
Filed: October 4, 2000) Examiner: Patel, Nihir B.

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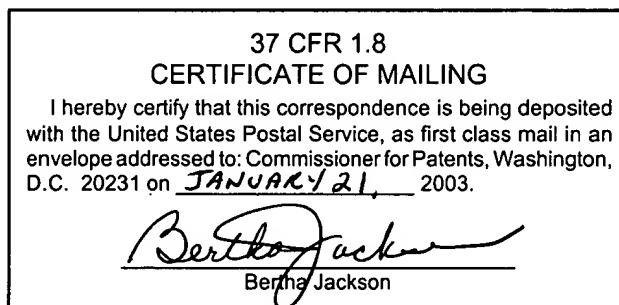
TECHNOLOGY CENTER R3700

RESPONSE

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated December 30, 2002 (Paper No. 1) Applicants provisionally elects the alleged distinct species of Figs. 1 and 2, with traverse. All of the claims read on the elected species, and furthermore are generic to Figs. 1-5.



Applicants believe the restriction requirement is improper because the figures do not represent patentably distinct species as alleged in the Office Action. Rather, as set forth in the application, which is evidence of record, Figs. 1 and 2 are somewhat schematic cross-sectional views of a latent heat storage device made according to the invention and Figs. 3-5 are more detailed views of the latent heat storage device shown in Figs. 1 and 2. See page 9, lines 8-15; and page 13, lines 12-13. Accordingly, as set forth in the application, the drawings all represent the same latent heat storage device, not variants of latent heat storage devices.

In view of the foregoing, Applicants respectfully request withdrawal of the restriction requirement, consideration of all the claims as amended and allowance of the case.

Respectfully submitted,



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